

IDAPA 37.03.09
Negotiated Rule Making
September 22, 2006

Negotiated Rule Making commenced on Friday, September 22, 2006 at 9 AM MDT. This meeting was conducted using the University of Idaho's teleconferencing system, and stakeholders participated from locations in Twin Falls, Coeur d'Alene, Idaho Falls, and Boise. The complete meeting was recorded, and is summarized below.

Well Size, Plumbness, and Alignment

Stakeholders of stakeholders from southern Idaho expressed disapproval of the strawman proposal to include standards for well size and for plumbness and alignment. They expressed their opinions that these requirements were consumer protection and not related to protection of the groundwater resource. Based on the concept of consumer protection, there was a general consensus that standards for well size and plumbness and alignment should not be added to the Well Standard.

Abandonment of Wells

Stakeholders discussed the proposed requirements to abandon wells. Stakeholders in Twin Falls pointed out that the Legislature had adopted specific language allowing well owners to abandon wells and that the language should be included in the Well Standards. In addition, stakeholders expressed concern about the anticipated cost to abandon wells. The group had a general discussion about the tradeoff of the need to abandon wells but the concern that excessive cost might discourage proper abandonment.

Pitless Adapters.

Stakeholders discussed the draft language regarding pitless adapters. The proposed wording prohibiting torch-cut installation generated a long discussion regarding leakage around the hole cut into the casing and the requirement for installation of pitless adapters with a swing joint. Discussion focused on the need for accountability and inspection.

Disinfection.

The Committee discussed the draft language regarding disinfection and reached a consensus that a chlorine concentration of 50 mg/L (ppm) was adequate. Some stakeholders objected to the requirement to maintain disinfection chemicals at all times on every well site. In response, stakeholders argued that the presence of disinfection chemicals was presumptive evidence that disinfection would be performed.

Well Development and Testing

The Committee reviewed the draft language on well development and testing. Stakeholders were not unanimous. Some stakeholders believed that the pump installers should report static and pumping water levels, but stakeholders representing pump installers replied that the pump installer needed static and pumping water levels to properly install the pump. One stakeholder requested that well development and well testing be combined, as the stakeholder did not believe that there should be separate requirements to develop and to test pump each well. Almost all stakeholders representing well drillers believed that the sand production standard was too stringent. Some stakeholders expressed the concern that residential development and construction of new homes would be precluded.

Future Committee Meeting

The next committee meeting is tentatively scheduled for Friday, October 6, 2006, at 8 AM. Stakeholders in Coeur d'Alene requested an opportunity to present information about the use of poly vinyl chloride (PVC) casing and liners in water wells.